CONFERENCE ON DISARMAMENT

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ENGLISH

FINAL RECORD OF THE EIGHT HUNDRED AND FORTY-FOURTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 2 March 2000, at 10.20 a.m.

President: Mr. Iftekhar Ahmed Chowdhury (Bangladesh)

The PRESIDENT: I declare open the 844th plenary meeting of the Conference. I have on my list of speakers for today the representative of Japan.

As you are aware, our esteemed colleague and friend, Ambassador Akira Hayashi of Japan, will be leaving the Conference shortly, having been called to other important duties by his Government. During his time here, he has presented the position of his Government with prodigious skills and talent. His personal contribution to our collective efforts to bring about a consensus which would allow the start of substantive work of the Conference has been appreciated by all. I am personally beholden to him for the friendship he has always shown me. I am sure that I speak on behalf of all of us when I express to Ambassador Hayashi and his family our very best wishes for their continued success and personal happiness.

Mr. HAYASHI (Japan): Thank you very much, Mr. President, for your kind words to me and best wishes to me and to my family.

Mr. President, at the outset, I should like to congratulate you most warmly on your assumption of the presidency and wish you every success in discharging your important duties. I am certain that your wisdom and diplomatic skills will help bring about in the CD the long-awaited positive agreement on our work. My delegation pledges its full cooperation in your endeavours. I should also like to pay tribute to your predecessor, Ambassador Harald Kreid of Austria, for his initiative and strenuous efforts to promote the start of substantive work in the CD.

It is unfortunate that my delegation has not yet been able to make a policy statement at this year's session. I had been waiting for an opportunity conducive to doing so, possibly after the successful adoption of the work programme. Much to my regret, I now have missed that opportunity for good, because today I am speaking for the last time at the CD, while a prospective work programme is still under consideration or possibly even in long hibernation.

After my two and a half years of tenure here, I should today like to state some of my personal observations on the CD. First of all, I would not be honest if I said, "I am satisfied with the work I have done here and I am leaving with a sense of achievement". It is regrettable that I have not been able to participate in any substantive negotiations in the CD.

Before I came to Geneva in 1997, I was told that the situation at the CD was not very propitious for the commencement of negotiations on an FMCT, despite the fact that it had long been agreed as its next item for negotiation. But, honestly, I did not anticipate that such a situation would continue during my entire tenure.

The report of the Tokyo Forum published last year stated as one of its recommendations: "The Tokyo Forum calls on the Conference on Disarmament to revise it procedures, update its work programme, and carry out purposeful work, or suspend its operations. The consensus rule is causing perpetual deadlock. Consensus among members of the Conference on Disarmament should not be necessary to begin or conclude negotiations on a multilateral convention". I understand that this is a kind of manifestation of the deep frustration felt by some experts

(Mr. Hayashi, Japan)

looking at the CD from the outside. The frustration and the disappointment for those who are within the CD, including myself, are naturally much greater. But I personally do not agree with this recommendation, since the existence of the consensus rule itself is not the only cause of the sorry state of the CD, and suspension of the CD's operations would certainly not change the situation for the better.

My predecessor, Ambassador Kurokochi, referred to the CD's consensus rule in her farewell speech. In it, while admitting that the consensus rule was indispensable to the CD, she stated: "When a point at issue is a procedural matter which does not prejudge the question of substance, every country should refrain as much as possible from exercising a veto". This assertion apparently did not obtain much support at the CD. Instead, I have frequently heard such words of caution as, "Procedure is substance" and "Devils are in detail". I have to confess that my own experience here during these two and a half years, has made me more sympathetic to the argument of my predecessor.

Different views have been expressed on this famous consensus rule of the CD. Some advocate adhering scrupulously to this rule in every nook and corner of the CD's operations. Some argue the necessity of a less rigorous application of the rule, especially to procedural matters. The recent case of this difference is the interpretation of paragraph 5 (d) of CD/1036.

Despite all these disputes on that consensus rule, one thing I should like to stress is that the consensus rule should be taken as distinctly different from granting the right of veto to each member. If this distinction is not properly made, the rule would inevitably turn out to be a recipe for indecision and no action. What is essential to the consensus rule, in my view, is the common recognition of the prerequisite for employing the rule. That prerequisite is the fundamental orientation towards achieving compromises for the sake of agreements rather than a pursuit of individual positions by ultimately resorting to the right of veto. This necessitates opportunities for thorough discussions through which differences among the participants are identified and efforts to narrow such differences are pursued based on self-restraint. I have the impression - though I hope I am wrong - that the members of the CD have collectively become insensitive to the prerequisite that makes the consensus rule workable. Such a sense of resignation as, "nothing to do because there is no consensus", is prevailing at the CD. What seems to be lacking actually at the CD is the conscious effort to make consensus rather than consensus itself. Clearly something must be done to redress the situation for the purpose of restoring normalcy to the Conference.

I have no magic formula, but my humble suggestion is this: create more opportunities for discussions in informal settings across regional groups where we could conduct frank exchanges of views - the kind of exchanges that have so far often remained within each group and within bilateral contacts. This would enhance the transparency of the work of the CD and increase awareness for progress, and would consequently create more chances for consensus to emerge in the CD. It is my earnest hope that the CD will start its substantial work as soon as possible.

(Mr. Hayashi, Japan)

I was told when I arrived in Geneva that the CD was the best club in town. In fact, it is. I have enjoyed immensely the company of my colleagues and have been tremendously stimulated intellectually. But the CD should not be complacent with only good comradeship.

Lastly, I wish to take this opportunity to express my wholehearted gratitude to the Secretary-General of the CD, Mr. Vladimir Petrosvky, and Deputy Secretary-General, Mr. Abdelkader Bensmail, and all other members of the Secretariat, as well as the interpreters, for the cooperation and help they have extended to me and my deep appreciation to them for their dedication and efficiency.

The PRESIDENT: I thank Ambassador Hayashi for his moving statement and for the kind words he addressed to me. Ambassador Hayashi, once again, our very best to you. I do share your hope that substantive negotiations may begin soon, and that normalcy, as you say, will soon be restored to the work of the Conference.

This concludes my list of speakers for today. Does any delegation wish to take the floor? That does not seem to be the case.

I should now like to take up for a decision the request from Albania to participate as observer in the work of the Conference during this session without first considering it at an informal plenary meeting. This request is contained in document CD/WP.509, which is before you. May I take it that the Conference agrees to this request?

It was so decided.

The PRESIDENT: This concludes our business for today. Does any other delegation wish to take the floor at this stage? I recognize the distinguished representative of the United States.

Mr. GREY (United States of America): Mr. President, through you, I would like to extend an invitation to all the members and non-member participants of the Conference on Disarmament to attend a presentation by the United States on nuclear disarmament issues. The presentation will take place here in the Council Chamber on Tuesday, 7 March, starting at 10 a.m. and will be given by Mr. Frank Miller, Principal Deputy Assistant Secretary of Defense for Strategy and Threat Reduction. Following Mr. Miller's presentation, there will be an opportunity for questions and answers on issues relating to nuclear disarmament.

This presentation will be closed to the public and media in order to encourage condour and vigorous give-and-take. I took forward to what I am sure will be an interesting and useful exchange of views.

The PRESIDENT: Distinguished colleagues, as you are aware, since I assumed the Presidency of the Conference, I have undertaken a round of intensive consultations with a number of delegations on the programme of work of the Conference. As a result of these efforts, I have circulated to all of you a non-paper containing possible steps towards a programme of work. The preliminary reactions to my proposals indicate that further consultations will be needed, and I pledge to you that I will use the remaining days of my presidency in an effort to bring about agreement on the early start of our substantive work.

The next plenary meeting of the Conference will be held on Thursday, 9 March 2000, at 10 a.m.

The meeting rose at 10.35 a.m.